

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

INFORMATIVE TECHNOLOGY
SYSTEMS LLC,

Plaintiff,

v.

AXINOM CORPORATION,

Defendant.

CASE NO. 2:21-cv-01594-TL

ORDER GRANTING SECOND
MOTION FOR ADDITIONAL TIME
TO SERVE PROCESS

This matter is before the Court on Plaintiff's second request for additional time to serve process. Plaintiff's first request was included in a response to the Court's order to show cause for Plaintiff's failure to meet the Rule 4 deadline for serving process. Dkt. No. 9. In that response, Plaintiff requested an addition 30 days to effectuate service, noting that communications with counsel for named defendant indicated that an entity related to the named Defendant might be more suitable as the defendant in this matter. *See* Dkt. No. 10. On April 1, the Court granted Plaintiff's request for more time and ordered Plaintiff to file proof of service or waiver by no later than May 1, 2022. Dkt. No. 11.

On June 1, 2022, Plaintiff filed the instant motion requesting an additional 30 days, until July 1, to effectuate service of process. Dkt. No. 12. Plaintiff offers no explanation for why it waited more than 30 days past the Court ordered deadline to request this extension, nor why it requires 120 days more than the time granted by the Federal Rules of Civil Procedure¹ to identify and serve the appropriate defendant in this matter. Instead, Plaintiff merely notes that “Counsel for the parties have recently been in renewed communication.” *Id.* Plaintiff is reminded, in accordance with the local rules and Judge Lin’s Chambers Procedures, the Court is under no obligation to grant relief from missed deadlines and untimely motions may be summarily denied, stricken, or ignored. *See* LCR 7(j); Judge Tana Lin, Standing Order for All Civil Cases, Section II.G (last updated Apr. 26, 2022), <https://www.wawd.uscourts.gov/judges/lin-procedures>. Additionally, failure to follow the requirements set forth in the Chambers Procedures may result in the imposition of sanctions. Dkt. No. 8.

Despite Plaintiff’s unexplained delay, the Court finds good cause for an extension because the additional time might allow the Parties to reach “an amicable solution to this matter that will eliminate the need for further litigation.” *Id.* The Court therefore GRANTS Plaintiff’s motion and ORDERS Plaintiff to file proof of service or waiver or notice of voluntary dismissal **by no later than July 1, 2022.**

Dated this 3rd day of June 2022.


 Tana Lin
 United States District Judge

¹ Summons was issued November 30, 2021. Dkt. No. 3. The initial 90-day service period expired on February 28, 2022. *See* Fed. R. Civ. Proc. 4(m). Plaintiff’s requested new deadline, July 1, is more than 120 days from February 28.